

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 26, 2004**

DIVISION ONE

B162099      Langley, et al.                      (Not for Publication)  
                 v.  
                 AM-PM Door, Inc.  
                 Federal Express Corporation

The judgment and the order denying a new trial are affirmed.

Mallano, J.

We concur:    Ortega, Acting P.J.  
                 Vogel (Miriam A.), J.

B167679      Fuentes                                      (Not for Publication)  
                 v.  
                 County of Los Angeles

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Ortega, J.

## March 26, 2004 (Continued)

## DIVISION ONE (Continued)

B166029 People (Not for Publication)  
v.  
Zuniga

As to count 1, attempted premeditated murder, the judgment is reversed. In all other respects, the judgment is affirmed.

Mallano, J.

I concur: Spencer, P.J.  
I dissent: Vogel (Miriam A.), J. (Opinion)

B166058 Apex Management, LLC (Not for Publication)  
v.  
Adamian

The order denying the motion for relief is reversed. On remand, the trial court is directed to grant Adamian's motion under the mandatory provisions of section 473, subdivision (b), and to address the motion to substitute Kaplan, Kenegos & Kadin, Jerry Kaplan and David Scott Kadin as attorneys for Apex in the place of Richard Gibson. The parties shall bear their own costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.  
Mallano, J.

B164751      Aieba      (Not for Publication)  
v.  
Swan, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Ortega, J.

We concur: Spencer, P.J.  
Mallano, J.

March 26, 2004 (Continued)

DIVISION ONE (Continued)

B169650      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Juanita H. and Chloe H.

We reverse both orders terminating Mother's parental rights over Chloe and Hunter. We direct the court to set a new date for a joint section 366.26 hearing for both children and for the Department to give proper notice thereof. Given that the siblings are living together with the same foster mother who wishes to adopt them both, we believe that holding a joint section 366.26 hearing would facilitate the resolution of common issues.

Ortega, J.

We concur:    Spencer, P.J.  
                     Vogel (Miriam A.), J.

B169675      Estrada, et al. v. RPS, Inc.  
B173446      Estrada, et al. v. RPS, Inc.

Filed order consolidating above captioned appeals.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B165441 People v. Talamantez  
B167067 People v. Juan M.

Argument waived, cause submitted.

DIVISION TWO (Continued)

B166802     Holmes, et al.  
              v.  
              Goodridge

Merits:  
Argued by Peter Wright for respondents and by Priscilla Slocum for  
appellant. Cause submitted.

B162407     Ceazan  
              v.  
              Saint John's Hospital & Health Center

Merits:  
Argued by Steven Glaser for appellant and by Robert Olson for respondent.  
Cause submitted.

B160881     Juarez, et al.  
              v.  
              Godbey-Monroe, Inc., et al.

Merits:  
Argued by Dan Whalen for respondent Juarez; by Daniel T. Pierson for  
respondent Bravo; by Todd A. Norton for respondent Pena and by Patricia  
Lofton for appellant. Cause submitted.

B162015     Felix, et al.  
              v.  
              Metropolitan Transportation Authority, et al.

Merits:  
Argued by Martin R. Berman for appellants and by Barbara Ravitz for  
respondents. Cause submitted.

DIVISION TWO (Continued)

B158640     Vergo  
              v.  
              Vergo

Merits:

Argued by Fesia A. Davenport for respondent and by Freda D. Pechner for appellant. Cause submitted.

B166461     Mittal  
              v.  
              Padrino, et al.

Merits:

Argued by George G. Braunstein for respondent and by James Padrino for appellants. Cause submitted.

Court adjourned.

B169009     Johnson v. Stevens  
B166885     People v. Giles

Each of the following:

Filed order denying petition for rehearing.

DIVISION THREE

B161230     Moore, etc.  
              v.  
              Shaw, et al.

Filed order modifying opinion. (No change in the judgment)

### DIVISION THREE (Continued)

B163132      Wilson      (Not for Publication)

$$\mathbf{V}_i$$

Board of Retirement of the Los Angeles Co. Employees Retirement Assoc.

The judgment is reversed and the matter is remanded to the trial court with directions to vacate the writ of mandate and enter a new order denying the petition for writ of mandate.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

## DIVISION EIGHT

B161267 People (Not for Publication)

**V.**

Solano, Jr.

As modified, the judgment is affirmed. The trial court is ordered to amend the abstract of judgment to show that the total term of 135 years to life. The trial court is directed to send a corrected abstract of judgment to the appropriate prison authorities.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B163453 Hinojos (Not for Publication)

$$V_{\bullet}$$

## Seasons Senior Apartments

The order of the trial court granting the motion to dismiss for failure to comply with discovery is reversed. Each party to bear their own costs.

Cooper, P.J.

We concur: Boland, J.  
Flier, J.